FROST BROWN TODD LLC

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September 29, 2003

. EA37743P4PPNZ

Customer No. 26874 PATENT TRADEMARK OFFICE

EXPRESS MAIL

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Mail Stop PATENT APPLICATION Commissioner For Patents P. O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL OF PATENT APPLICATION

Dear Sir:

Transmitted herewith for filing is the patent application of:

Inventor(s):

Frederick E. Shelton IV, Jeffrey S. Swayze and

Douglas B. Hoffman

Title:

SURGICAL STAPLING INSTRUMENT HAVING

MULTISTROKE FIRING WITH OPENING

LOCKOUT

Attorney Docket:

END5126-0517368

Drawings:

20 Sheets

Papers Enclosed:

Specification, 19 claims and Abstract (Total of 31

pages); Drawings - 20 sheets; Cover Sheet; Declaration

and Power of Attorney; Information Disclosure

Statement; PTO-1449; Foreign patent copies and other references; certificate of Express Mail; return postcard

Check Enclosed to

Cover Total Fee:

\$750.00

			C	LAIMS AS FILED		
	No. Filed			No. Extra	Rate	Fee 750.00
Basic Fee						
Total Claims	19	-	20	0	x 18.00	
Independent Claims	3	-	3	0	x 84.00	
Multiple Claims					280.00	
					Total Filing Fee	750.00
	Assignment Recordation					
LARGE ENTITY TOTAL						\$750.00

The Assistant Commissioner for Patents is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Frost Brown Todd LLC, Account No. 06-2226:

Any additional filing fees required by 37 CFR 1.16 and/or 37 CFR 1.492;

Any deficiency in the patent application processing fees as required by 37 CFR 1.17; or

Any deficiency in the issue fee as set forth in 37 CFR 1.18.

The above authorization does not include permission to charge payment of the entire issue fee to our account upon request of a notice of allowance, but only any deficiency in the issue fee paid by our check subsequent to receipt of a notice of allowance.

A duplicate copy of this transmittal letter is enclosed for any of these additional charges or credit.

"Express Mail" Mailing Label Number:

EV 311436466 US

Date of Deposit: September 29, 2003

I hereby certify that this paper or fee is being deposited in the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and is addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Matthew G. Burgan

Typed or Printed Name of Person Signing

Signature

Respectfully submitted

FROST BROWN TODD LLC

David E. Franklin Registration No. 39,194